

**CONTRACT MODIFICATION NO. 1**  
**Mutual Use Contract No. 210177-HM**  
**Ferric Chloride**

THIS MODIFICATION NO. 1 is being entered into, effective as of \_\_\_\_\_, by and between the CITY OF LAS VEGAS (hereinafter, "City"), a municipal corporation within the State of Nevada having its principal office at 495 South Main Street, Las Vegas, Nevada 89101, and Pencco, Inc., (hereinafter the "Company"), a corporation organized and existing under the laws of the State of Texas having its principal office located at 831 Bartlett Road, Sealy, Texas 77474.

The purpose of this Modification is to modify the annual not to exceed amount.

The Contract between the City and the Company dated March 31, 2021 is hereby modified as follows:

**1. Section 4**

REFERENCE: Section 4

DELETE: The Contract Amount shall not exceed \$1,200,000.00 per year.

ADD: The Contract Amount shall not exceed \$4,450,000 (four million four hundred and fifty thousand dollars) per year.

**2. General**

In the event of any conflict between the Contract and this modification, the provisions of this Modification No. 1 take precedence. All other Contract terms and conditions remain unchanged.

**3. Counterparts**

This Modification No. 1 may be executed in counterparts, all such counterparts will constitute the same contract and the signature of any party to any counterpart will be deemed a signature to, and may be appended to, any other counterpart. Executed copies hereof may be delivered by facsimile or e-mail and upon receipt will be deemed originals and binding upon the parties hereto, regardless of whether originals are delivered thereafter. The parties agree that this Modification No. 1 may be signed electronically via the City's designated electronic signature platform, and that the electronic signatures appearing herein shall be considered the same as handwritten signatures for the purpose of validity, admissibility, and enforceability.

IN WITNESS WHEREOF, the parties hereto have caused this Contract Modification 1 to be executed by their duly authorized representatives.

CITY OF LAS VEGAS

PENCCO INC.

Signature

Date

Printed Name

Title

DocuSigned by:  
*Sarah Duffy*  
2/27/2023 | 11:18  
19784ED9B9B7413...

Signature

Date

Sarah Duffy

Printed Name

Bid Sec.

Title

ATTEST:

LuAnn D. Holmes, MMC

Date

City Clerk

APPROVED AS TO FORM:

DocuSigned by:  
*Dimitri P. Dalacas*  
2/27/2023 | 8:16 AM PST  
C888814177D943F...

Deputy City Attorney

Date

Dimitri P. Dalacas

Printed Name